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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,616	12/24/2003	Thayer A. Coburn	716042.13	1615
27128 7590 09/25/2007 BLACKWELL SANDERS LLP 720 OLIVE STREET SUITE 2400 ST. LOUIS, MO 63101			EXAMINER MILIA, MARK R	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 09/25/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/707,616

Applicant(s)

COBURN, THAYER A.

Examiner

Mark R. Milia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11,15-19,21,22,26 and 34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11,15-19,21,22,26 and 34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/28/07 and 7/25/07 has been entered. Currently, claims 11, 15-19, 21-22, 26, and 34 are pending.

### ***Response to Arguments***

2. Applicant's arguments filed 6/28/07 have been fully considered but they are not persuasive.

Applicant asserts that Wright (US 2003/0118795) and Fontana (US 5,585,156) do not disclose displaying a plurality of fabric labels at once, including viewing and displaying a plurality of product specific information available for selection for each plurality of fabric labels under the control of that particular user. The examiner respectfully disagrees as the combination of Fontana and Wright does disclose such features. Particularly, Wright discloses a mattress label that has a generic area and a

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mattress specific area. Further, Wright shows that a home office builds a database with SKU numbers and model descriptions. The database is accessed by the manufacturer through an Internet accessible site (webpage) when a mattress order is received and a summary of the order is displayed (Fig. 5). It is well known that a web page allows a user to view and display a plurality of products. Also, Fontana states that variable information can be added to a mattress label. Thus, Wright shows the ability to display fabric labels, including product specific information, under control of a particular user.

Therefore, the combination of Wright and Fontana disclose the limitations set forth in claims 11, 26, and 34.

### ***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 11, 15-16, 19, 21-22, 26, and 34 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,585,156 to Fontana in view of U.S. Patent Application Publication No. 2003/0118795 to Wright et al., as cited in the Information Disclosure Statement dated 4/19/04.

Regarding claim 11, Fontana discloses a process for creating and printing a label to be attached to or otherwise associated with a product utilizing a computer system comprising: displaying at a first location labels available to a specific user, said fabric labels having a top side and a bottom side, at least the top side of the fabric label

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including general product information that is applicable to a plurality of products and at least a portion of the top side of the fabric label having a laser jet toner receptive coating associated therewith (see Figs. 2 and 3, column 3 lines 47-51 and 59-60, and column 4 lines 3-5), each fabric label having a plurality of product information available for selecting by a user for that specific fabric label (see column 4 lines 21-23), selecting the specific product information that is directed to a single product at the first location that can be utilized with the selected specific fabric label (see Fig. 2 and column 4 lines 22-24, and 62-66), loading the selected fabric label into a laser jet printer, wherein the selected fabric label has been printed by a printing press with the previously selected general product information that is applicable to a plurality of products at a second location (see Fig. 2 "22" and column 4 lines 3-34 and 62-66), and printing the specific product information that is directed to a single product onto the toner receptive coating associated with the top side of the fabric label with the laser jet printer at the first location (see Fig. 2 and column 4 lines 22-24, and 62-66).

Fontana does not disclose expressly displaying all fabric labels from a computer database at a first location available to a specific user, selecting a specific fabric label at a first location from said computer database, displaying all specific product information available for printing onto the selected specific fabric label, and controlling access to the specific information that is directed to a single product from the database so that different users can only create and print product labels for the attachment to or association with a product that has been authorized for each particular user, each user

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having access to specific product information for a selected number of particular product.

Wright discloses displaying all fabric labels from a computer database at a first location available to a specific user, selecting a specific fabric label at a first location from said computer database, displaying all specific product information available for printing onto the selected specific fabric label, and controlling access to the specific information that is directed to a single product from the database so that different users can only create and print product labels for the attachment to or association with a product that has been authorized for each particular user, each user having access to specific product information for a selected number of particular products (see Figs. 2, 4, and 5 and paragraphs 27 and 29).

Regarding claim 26, Fontana discloses a process for creating and printing a fabric label for a mattress to be attached to the mattress utilizing a computer system comprising: displaying at a first location labels available to a specific user, said fabric labels having a top side and a bottom side, at least the top side of the fabric label including general product information that is applicable to a plurality of products and at least a portion of the top side of the fabric label having a laser jet toner receptive coating associated therewith (see Figs. 2 and 3, column 3 lines 47-51 and 59-60, and column 4 lines 3-5), each fabric label having a plurality of product information available for selecting by a user for that specific fabric label (see column 4 lines 21-23), selecting the specific mattress information that is directed to a single mattress at the first location that can be utilized with the selected specific mattress fabric label (see Fig. 2 and column 4

lines 22-24, and 62-66), loading the selected mattress fabric label into a laser jet printer, wherein the selected mattress fabric label has been printed by a printing press with the previously selected general information that is applicable to a plurality of mattresses at a second location (see Fig. 2 and column 4 lines 3-34 and 62-66), and printing the specific information that is directed to a single mattress onto the laser jet toner receptive coating associated with the top side of the mattress fabric label with the laser jet printer at the first location (see Fig. 2, column 3 lines 59-60 and column 4 lines 22-24, and 62-66).

Fontana does not disclose expressly displaying all fabric labels from a computer database at a first location available to a specific user, selecting a specific fabric label at a first location from said computer database, displaying all specific product information available for printing onto the selected specific fabric label, controlling access to the specific information that is directed to a single product from the database so that different users can only create and print product labels for the attachment to or association with a product that has been authorized for each particular user, each user having access to specific product information for a selected number of particular products, and verifying the selected specific mattress information prior to printing.

Wright discloses displaying all fabric labels from a computer database at a first location available to a specific user, selecting a specific fabric label at a first location from said computer database, displaying all specific product information available for printing onto the selected specific fabric label, controlling access to the specific information that is directed to a single product from the database so that different users



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can only create and print product labels for the attachment to or association with a product that has been authorized for each particular user, each user having access to specific product information for a selected number of particular products (see Figs. 2, 4, and 5 and paragraphs 27 and 29), and verifying the selected specific mattress information prior to printing (see Fig. 5 and paragraph 29).

Fontana & Wright are combinable because they are from the same field of endeavor, printing of custom fabric (mattress) labels.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the database of fabric (mattress) label information, as described by Wright, databases are well known and commonly used in the art, with the system of Fontana.

The suggestion/motivation for doing so would have been to provide a plurality of general product information to be stored and used as deemed appropriate by the manufacturer, as well as allowing for changes to be made to the general product information when deemed necessary.

Therefore, it would have been obvious to combine Wright with Fontana to obtain the invention as specified in claims 11 and 26.

Regarding claim 34, Fontana discloses a process in a computer system for displaying and printing a product label to be attached to or otherwise associated with a product comprising: loading a fabric label into a laser jet printer, wherein the fabric label has been printed by a printing press at a second location with the previously selected



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general product information that is applicable to a plurality of products on the top side and at least a portion of the top side of the selected fabric label has a laser jet toner receptive coating (see Fig. 2 and column 4 lines 3-34 and 62-66), and printing the specific product information that is directed to a single product onto at least a portion of the laser jet toner receptive coating for the selected fabric label with the laser jet printer at the first location (see Fig. 2 and column 4 lines 22-24, and 62-66).

Fontana does not disclose expressly displaying at a first location a plurality of fabric labels having general product information that is applicable to a plurality of products on at least one electronic display, each fabric label having a plurality of specific product information available for selection by a user for that specific fabric label, selecting one fabric label, having a top side and a bottom side, from the plurality of previously displayed fabric labels, displaying the plurality of specific product information available for printing onto the selected fabric label on the at least one electronic display, selecting the specific product information that is directed to a single product from the plurality of specific product information at the first location that can be utilized with the selected fabric label, and controlling access to the specific information that is directed to a single product from the database so that different users can only create and print product labels for the attachment to or association with a product that has been authorized for each particular user, each user having access to specific product information for a selected number of particular products.

Wright discloses displaying at a first location a plurality of fabric labels having general product information that is applicable to a plurality of products on at least one

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electronic display, each fabric label having a plurality of specific product information available for selection by a user for that specific fabric label, selecting one fabric label, having a top side and a bottom side, from the plurality of previously displayed fabric labels, displaying the plurality of specific product information available for printing onto the selected fabric label on the at least one electronic display, selecting the specific product information that is directed to a single product from the plurality of specific product information at the first location that can be utilized with the selected fabric label, and controlling access to the specific information that is directed to a single product from the database so that different users can only create and print product labels for the attachment to or association with a product that has been authorized for each particular user, each user having access to specific product information for a selected number of particular products (see Figs. 2, 4, and 5 and paragraphs 27 and 29).

Fontana & Wright are combinable because they are from the same field of endeavor, printing of custom fabric (mattress) labels.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine selecting one fabric label from a display of a plurality of fabric labels, as described by Wright, with the system of Fontana.

The suggestion/motivation for doing so would have been to display a plurality of general product information to be stored and used as deemed appropriate by the manufacturer, as well as allowing for changes to be made to the general product information when deemed necessary.

Therefore, it would have been obvious to combine Wright with Fontana to obtain the invention as specified in claim 34.

Regarding claim 15, Wright further discloses wherein the computer database is accessible through a global computer network (see Fig. 5 and paragraphs 29-31).

Regarding claim 16, Wright further discloses wherein the global computer network includes the Internet (see Fig. 5 and paragraphs 29-31).

Regarding claim 19, Wright further discloses wherein each user to the system can provide account information consisting of an input for a login (see Fig. 5).

Regarding claim 21, Wright further discloses wherein information for each authorized user can be established in a subaccount consisting of an input for a login (see Fig. 5).

Regarding claim 22, Wright further discloses wherein each user can be selectively provided access to formatted document files having the specific product information, wherein each formatted document file is directed to a specific product (see Fig. 5 and paragraphs 26-30).

5. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fontana and Wright as applied to claim 11 above, and further in view of Stinson (US 2004/0138905).

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Regarding claim 17, Fontana and Wright do not disclose expressly wherein specific information that is directed to a single product includes a formatted document file.

Stinson discloses wherein specific information that is directed to a single product includes a formatted document file (see paragraphs 39 and 41).

Regarding claim 18, Fontana and Wright do not disclose expressly wherein the formatted document file includes a Portable Document Format file.

Stinson discloses wherein the formatted document file includes a Portable Document Format file (see paragraphs 39 and 41).

Fontana, Wright, & Stinson are combinable because they are from the same field of endeavor, displaying of content associated with articles of manufacture.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the formatter document files, such as a PDF, as described by Stinson, and which is well known and commonly used in the art, with the system of Fontana and Wright.

The suggestion/motivation for doing so would have been to enhance portability and compatibility of the file and thereby increase the efficiency of files transferred between a host and a client.

Therefore, it would have been obvious to combine Stinson with Fontana and Wright to obtain the invention as specified in claims 17-18.

**Conclusion**


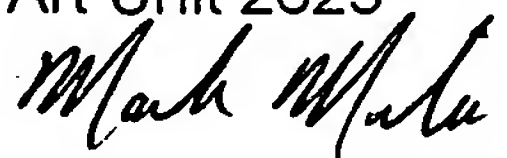
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached at (571) 272-7406. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRM

Mark R. Milia  
Examiner  
Art Unit 2625



TWYLER LAMB  
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